



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/250,340	02/16/1999	YIK HEI SIA	TAY-101	1943

21832 7590 04/25/2003
CUMMINGS AND LOCKWOOD
GRANITE SQUARE
700 STATE STREET
P O BOX 1960
NEW HAVEN, CT 06509-1960

EXAMINER

KAZIMI, HANI M

ART UNIT	PAPER NUMBER
----------	--------------

3624

DATE MAILED: 04/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/250,340

Applicant(s)

SIA, YIK HEI

Examiner

Hani Kazimi

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32,35 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32,35 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 3624

DETAILED ACTION

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn. This communication is in response to the amendment filed on July 22, 2002 (paper # 14). Claims 1-32, 35, and 36 are under prosecution in this application. The rejections cited are as stated below:

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 5-16, and 21-32 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, claims 5, 6, 21, and 22, the phrase "and/or" renders the claims indefinite because, it is unclear whether the limitations following the phrase are part of the claimed invention. Furthermore, claims 6, and 22, the phrase "etc." renders the claims indefinite because, the claims include elements not actually disclosed (those encompassed by "etc."), thereby rendering the scope of the claims unascertainable. See MPEP § 2173.05(d). Claims 7-16, and 23-32 are rejected as being dependent on a rejected base claim. For further examination purposes,

Art Unit: 3624

Examiner will assume that the claims intend to use the phrase “or”.

Claim Rejections - 35 USC § 102

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-7, 9-12, 14, 17-23, 25-28, 30, 35, and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Zampese (U.S. Patent No. 6,014,650).

Claims 1, 2, 9, 10, 17, 18, 25, 26, 35, and 36, Zampese discloses a method and a corresponding system for establishing secure connections between a provider and a customer, comprising the steps of providing a memory device for storing a first set of codes, wherein the memory device can receive, store and delete sets of codes which are accessible by the customer, storing a plurality of sets of codes with the provider, wherein the plurality of sets of codes

Art Unit: 3624

includes the first set of codes, receiving a first customer code from the customer during establishing a secure connection, the first code being selected from the first set of codes stored on the memory device, accessing a first provider code from the first set of codes stored with the provider, comparing the first customer code with the first provider code , wherein a perfect match is a successful verification, establishing a secure connection to the customer when a successful verification occurs, and preventing further use of the first customer code by the customer by deleting the first customer code and the first provider code (column 3, line 37 thru column 4, line 62).

Claims 3, 4, 19, and 20, Zampese discloses that the plurality of codes are generated by means of a pseudo random generator and a software program arranged to produce non-repeating sequence of codes (column 3, lines 45-63).

Claims 5, 6, 21, and 22, Zampese discloses that each code includes a sequence of characters or numbers, wherein said characters or numbers include Roman numerals, letters of the alphabet, Morse codes (column 3, lines 46-63).

Claims 7, and 23, Zampese discloses that the plurality of codes are generated external to the system (column 3, lines 29-63).

Art Unit: 3624

Claims 11, 12, 27, and 28, Zampese discloses that the first code storage means includes one of an ATM transaction card, a smart card, an integrated circuit microchip and a computer diskette, the second code storage means is associated with one of a bank computer system, a service provider computer system and a telephone exchange (column 3, line 38 thru column 4, line 61).

Claims 14, and 30, Zampese teaches that at least one said part or station includes a PC or computer terminal (column 4, lines 14-40).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 148 USPQ 459, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

Art Unit: 3624

4. Considering objective evidence present in the application indicating obviousness or unobviousness.

8. Claims 8, 13, 15, 16, 24, 29, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zampese (U.S. Patent No. 6,014,650).

Claims 8, and 24, Zampese fails to teach that the plurality of codes are at least 100.

However, Zampese teaches the use of a plurality of codes that are generated by a computerized random number generator (column 3, lines 29-63).

It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify the teachings of Zampese to include that the plurality of codes are at least 100 because, it provides convenience to the user by not having to request a new code for each single transaction, and a system that is user friendly.

Claims 13, 15, 16, 29, 31, and 32, Zampese fails to teach that at least one said part or station includes an ATM terminal, a mobile transceiver, or a door opening apparatus.

However, the fact that the apparatus includes an ATM terminal, a mobile transceiver, or a door opening apparatus is just a field of use.

It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify the teachings of Zampese to include that the apparatus includes an

Art Unit: 3624

ATM terminal, a mobile transceiver, or a door opening apparatus because, it provides a system that is user friendly. Also, Zampese uses this apparatus to conduct transactions over the Internet which is very similar to transactions that are conducted using an ATM or a mobile device.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hani Kazimi whose telephone number is (703) 305-1061. The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached at (703) 308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703) 305-7687 or 7658.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113 or 1114.



HANI M. KAZIMI
PRIMARY EXAMINER
Art Unit 3624

April 10, 2003